

REMARKS

The foregoing amendment amends claims 1-8, 11, 12, 14, 16-17 and 20 for purposes of clarity. Pending in the application are claims 1-20, of which claims 1, 7, 12 and 17 are independent. The following comments address all stated grounds for rejection and place the presently pending claims, as identified above, in condition for allowance.

Claims 1-8, 11, 12, 14, 16-17 and 20 are amended for purposes of clarity, namely to clarify that the match game applet is provided as a part of an on-line educational course, and that the user of the match game applet is a student of the on-line educational course. *No new matter is added.*

Claim Rejections Under 35 U.S.C. § 102

Claims 1, 2, 4-7, 9-14 and 17-20 are rejected under 35 U.S.C. §102(e) as being anticipated by Anderson et al (US 6,571,246). Applicant respectfully traverses the rejection for the following reasons.

Claim 1 recites a method including the steps of providing and forwarding an interactive match game applet to a remote client for testing a student. The match game applet generates a graphical user interface displaying a set of images and a set of descriptions and allows a student of an on-line education course to connect a first image and a first description that the user believes to correspond to the first image. Independent claim 12 is a medium claim directed to a computer-readable medium that includes instructions for running the match game applet. Independent claim 17 is directed to an electronic device including memory for storing the match game applet.

Independent claim 7 recites a method including the steps of receiving a request for a Web page from a remote client and sending a Web page containing a match game applet embedded therein to the remote client. The applet generates a Web page including a set of images and a set of descriptions. The Web page further includes instructions to a student of an on-line educational course to match an image in the set of images with a corresponding description to test the student's knowledge.

The Anderson reference is directed to a system for data collection and workflow management in a business process, rather than an on-line educational course, or, more particularly, a testing process in an on-line educational course, as required by the present invention. As set forth in the present specification, on page 3, lines 12-14, an “on-line educational course”, as used in the present invention is curriculum, such as a training course for a new technology, that is delivered to a student over a computer network.

The Anderson reference does not disclose delivering a curriculum to a student over a network, a deficiency recognized by the Examiner in paragraph 24 of the Office Action. Rather, the Anderson reference is concerned with the creation of web pages for a business by separately collecting data and digital images, matching each digital image with corresponding stored data in a database, processing the images and data and creating web pages using the data in the database and the corresponding images. Because the Anderson reference does not disclose an educational on-line course, as recited in claims 1-20, the Anderson reference clearly does not anticipate the claimed invention.

In addition, the Anderson reference does not disclose an applet within a web page that forms part of an on-line educational course, as recited in claims 1-20. As set forth on page 4, lines 11-22 of the present specification, the term “applet” refers to a program designed to be executed from within another application, such as an HTML or XML page. The claimed match game applet allows for testing of a student by displaying a set of images and a set of descriptions related to the images within a web page, and instructing the user to match each description to a corresponding image. The match game applet thereby allows for testing of a student’s knowledge regarding the descriptions and images.

The Anderson reference does not disclose the claimed match game applet. The Anderson reference describes an executable file that creates tags for the digital images captured by the digital image capture device. The executable file in Anderson is executable on an image capture device that captures the digital images and includes instructions concerning the subject matter of the images to be captured and identifying information for the images. However, the executable file of Anderson does not display a set of images and a set of descriptions related to the images

on a graphical user interface or web page, so that a student may match the images and descriptions together, as specifically recited in independent claims 1, 7, 12 and 17. The executable file of Anderson also does not display a set of images and a set of images and/or instruct a student to match a description to a corresponding image. Therefore, the Anderson reference clearly fails to disclose the claimed match game applet.

Moreover, the Anderson reference does not teach or suggest an applet that prompts a *student* of a web-based learning environment to match each image with the corresponding description for that image, as recited in claims 1, 2, 4-7, 9-14 and 17-20. Rather, as specifically set forth in column 2, lines 5-7 and column 3, lines 21-24, a web server uses tags to match an image to the corresponding stored data. The matching by the web *server* in Anderson is performed automatically and does not have a testing function for testing the knowledge of a student, as set forth in the claimed invention. Rather, the matching process in Anderson is performed to facilitate the creation of web pages that display the captured images along with the corresponding data.

The Anderson reference thus does not disclose all of the elements of claims 1, 2, 4-7, 9-14 and 17-20. For at least these reasons, Applicant submits that claims 1, 2, 4-7, 9-14 and 17-20 distinguish patentably over the cited Anderson reference and request reconsideration and withdrawal of the 35 U.S.C. § 102(e) rejection.

Claim Rejections Under 35 USC § 103

Claims 3, 8, 15 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Anderson et al (US 6,571,246) in view of Strub et al (US 6,652,287). Independent claim 1, from which claim 3 depends, independent claim 7, from which claim 8 depends, and independent claim 12, from which claims 15 and 16 depend, are patentable for reasons outlined above. Therefore, claims 3, 8, 15 and 16 are also patentable.

The Strub reference does not compensate for the deficiencies of the Anderson reference. Specifically, the Strub reference also lacks a teaching or suggestion of a match game applet in an on-line educational course that prompts a student to match images displayed in a user interface

with descriptions displayed in the user interface. In addition, the Strub reference does not teach or suggest providing feedback to a student indicating the accuracy of an association made by the student, as alleged by the Examiner. The mere mention of the word “feedback” in column 1, line 55 does not mean that the Strub reference provides feedback regarding whether a match attempted by a student is correct or incorrect.

Furthermore, Applicant submits that motivation to combine the teachings of the Anderson reference and the Strub reference is lacking. The Examiner has not pointed to an object reason for combining the references, making the combination of the reference to make an obviousness-type rejection improper. In addition, the Anderson reference and the Strub reference are directed to totally different fields, and are not readily combinable. One skilled in the art of managing a business process, such as a real estate brokerage, to which the Anderson reference is directed, would not readily look to the field of on-line educational courses, to which the Strub reference is directed to modify the teachings therein. Therefore, the requirements for establishing a *prima facie* case for obviousness have not been met.

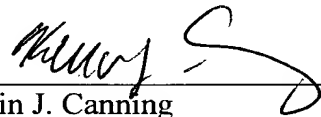
CONCLUSION

In view of the above amendment, applicant believes the pending application is in condition for allowance.

Applicant believes no fee is due with this amendment. However, if a fee is due, please charge our Deposit Account No. 12-0080, under Order No. SMQ-060 from which the undersigned is authorized to draw.

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Respectfully submitted,

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